



U.S. Department of Justice

Office of Professional Responsibility

950 Pennsylvania Avenue, N.W., Suite 3266
Washington, D.C. 20530
(202) 514-3365

JUL 30 2018

Shawn Musgrave
58530-11597062@requests.muckrock.com

Re: OPR FOIA No. F18-00139

Dear Mr. Musgrave:

This letter responds to your July 20, 2018 Freedom of Information Act (FOIA) request to the Office of Professional Responsibility (OPR) seeking closing memoranda of OPR's investigations with substantiated misconduct findings during calendar year 2017. OPR received your request on July 20, 2018. It has been assigned request number F18-00139. Please refer to that number in any correspondence pertaining to this matter.

Please be advised that searches of OPR's systems of records were conducted and documents responsive to your request were located. At this time, I have determined that 53 pages are appropriate for release with excisions made pursuant to Exemptions 3, 5, 6, and 7(C) of the FOIA, 5 U.S.C. §§ 552(b)(6), (7)(C). Exemption 3 pertains to matters specifically exempted from release by statute, in this instance, Rule 6e, which pertains to grand jury information. Exemption 5 pertains to certain inter- and intra-agency communications protected by the deliberative process privilege. Exemption 6 pertains to material the release of which would constitute a clearly unwarranted invasion of the personal privacy of third parties. Exemption 7(C) pertains to records or information compiled for law enforcement purposes the release of which could reasonably be expected to constitute an unwarranted invasion of the personal privacy of third parties.

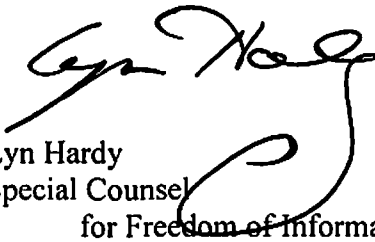
For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. *See* 5 U.S.C. § 552(c) (2006 & Supp. IV 2010). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

If you have a question, you may contact OPR's FOIA Public Liaison at the telephone number and address listed above. Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

If you are not satisfied with my response to this request, you may administratively appeal by writing to the Director, Office of Information Policy (OIP), U.S. Department of Justice, Suite 11050, 1425 New York Avenue, N.W., Washington, D.C. 20530-0001, or you may submit an appeal through OIP's FOIAonline portal by creating an account on the following web site: <https://foiaonline.regulations.gov/foia/action/public/home>. Your appeal must be postmarked or electronically transmitted within 90 days of the date of my response to your request. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal."

If you are dissatisfied with the result of any appeal you make, judicial review may thereafter be available to you in the United States district court for the judicial district in which you reside, or in which you have your principal place of business, or in the District of Columbia.

Sincerely,



Lyn Hardy
Special Counsel
for Freedom of Information and Privacy Acts

Enclosures



U.S. Department of Justice

Office of Professional Responsibility

950 Pennsylvania Avenue, N.W., Suite 3266
Washington, D.C. 20530

(b)(6) (b)(7)(C)

MEMORANDUM

TO: Monty Wilkinson
Director
Executive Office for U.S. Attorneys

John V. Geise
Chief
Professional Misconduct Review Unit

FROM: Robin C. Ashton
Counsel

SUBJECT: Report of Investigation into the Conduct of Former AUSA (b)(6) (b)(7)(C), Former
FAUSA (b)(6) (b)(7)(C), AUSA (b)(6) (b)(7)(C), and Former (b)(6) (b)(7)(C)
(b)(6) (b)(7)(C) in (b)(6) (b)(7)(C)

Enclosed is the Office of Professional Responsibility (OPR) Report of Investigation into
the conduct of former Assistant U.S. Attorney (AUSA) (b)(6) (b)(7)(C), former (b)(6) (b)(7)(C)
(b)(6) (b)(7)(C) (FAUSA) (b)(6) (b)(7)(C), AUSA (b)(6) (b)(7)(C),
and former (b)(6) (b)(7)(C)

(b)(5) (b)(6) (b)(7)(C)

(b)(5) (b)(6) (b)(7)(C)

(b)(5) (b)(6) (b)(7)(C)

(b)(5) (b)(6) (b)(7)(C)

(b)(5) (b)(6) (b)(7)(C)

(b)(5) (b)(6) (b)(7)(C)

Based on the results of its investigation, OPR concluded that AUSA (b)(6) (b)(7)(C) committed intentional professional misconduct by (b)(3) Rule 6e, (b)(5) (b)(6) (b)(7)(C)

(b)(3) Rule 6e, (b)(5) (b)(6) (b)(7)(C)

Based on the results of its investigation, OPR concluded that former AUSA (b)(6) (b)(7)(C) engaged in intentional professional misconduct by:

- (b)(3) Rule 6e, (b)(5) (b)(6) (b)(7)(C)

- (b)(3) Rule 6e, (b)(5) (b)(6) (b)(7)(C)

- (b)(3) Rule 6e, (b)(5) (b)(6) (b)(7)(C)

- (b)(5) (b)(6) (b)(7)(C) [REDACTED]
[REDACTED]
- (b)(5) (b)(6) (b)(7)(C) [REDACTED]
[REDACTED]
[REDACTED] and [REDACTED]
- (b)(5) (b)(6) (b)(7)(C) [REDACTED] [REDACTED] [REDACTED] [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Finally, OPR concluded that FAUSA (b)(6) (b)(7)(C) did not engage in professional misconduct, (b)(5) (b)(6) (b)(7)(C) [REDACTED] OPR concluded, however, that (b)(6) (b)(7)(C) exercised poor judgment (b)(5) (b)(6) (b)(7)(C) [REDACTED]
[REDACTED]

OPR previously informed AUSA (b)(6) (b)(7)(C) and former (b)(6) (b)(7)(C) [REDACTED] of its conclusion that neither engaged in professional misconduct or exercised poor judgment in the matter. (b)(5) (b)(6) (b)(7)(C) [REDACTED] OPR has directed (b)(6) (b)(7)(C) [REDACTED] to contact John V. Geise, Chief of the Professional Misconduct Review Unit, if (b)(6) (b)(7)(C) [REDACTED] has any questions about this matter.

Enclosure

cc: Jay Macklin
General Counsel
Executive Office for U.S. Attorneys
(with enclosure)



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Office of Professional Responsibility

*950 Pennsylvania Avenue, N.W., Suite 3266
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(b)(6) (b)(7)(C)

MEMORANDUM

TO: Monty Wilkinson
Director
Executive Office for U.S. Attorneys

John V. Geise
Chief
Professional Misconduct Review Unit

(b)(6) (b)(7)(C)

(b)(6) (b)(7)(C)

(b)(6) (b)(7)(C)

FROM: Robin C. Ashton
Counsel

SUBJECT: Report of Investigation into Professional Misconduct Allegations against Assistant
U.S. Attorneys (AUSAs) (b)(6) (b)(7)(C)

Attached is the Office of Professional Responsibility (OPR) final report of investigation pertaining to Assistant U.S. Attorneys (AUSAs) (b)(5) (b)(6) (b)(7)(C)

[REDACTED]

OPR concluded in its final report that (b)(6) (b)(7)(C): (1) committed professional misconduct, when in reckless disregard of their *Brady/Giglio* obligations, they failed to disclose impeachment information (b)(5) (b)(6) (b)(7)(C); (2) committed professional misconduct in violation of Department policy set forth in the U.S. Attorneys' Manual (USAM) § 9-5.001, when in reckless disregard of their discovery obligations, they failed to disclose impeachment evidence (b)(5) (b)(6) (b)(7)(C); (3) committed professional misconduct in violation of (b)(5) (b)(6) (b)(7)(C) when in reckless disregard of their duty to make diligent efforts to comply with a legally proper discovery request by an opposing party, they failed to disclose impeachment evidence (b)(5) (b)(6) (b)(7)(C); (4) committed professional misconduct in violation of (b)(5) (b)(6) (b)(7)(C) when in reckless disregard of their *Brady/Giglio* obligations, they failed to (b)(5) (b)(6) (b)(7)(C); (5) committed intentional professional misconduct in violation of (b)(5) (b)(6) (b)(7)(C) when they knowingly made misrepresentations to the court; and (6) committed intentional professional misconduct in violation of their general duty of candor to the court, when they knowingly failed to (b)(5) (b)(6) (b)(7)(C)

[REDACTED]

(b)(5) (b)(6) (b)(7)(C), and has also directed each to contact Professional Misconduct Review Unit Chief John V. Geise for further information regarding this matter.

Attachments

**cc: Scott Schools
Associate Deputy Attorney General
(with attachment)**

**Jay Macklin
General Counsel, EOUSA
(with attachment)**



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MEMORANDUM

(b)(6) (b)(7)(C)

TO: Monty Wilkinson
Director
Executive Office for U.S. Attorneys

John V. Geise
Chief
Professional Misconduct Review Unit

(b)(6) (b)(7)(C)

FROM: Robin C. Ashton
Counsel

RC Ashton

SUBJECT: Report of Investigation into Allegations of Misconduct against Former Assistant
U.S. Attorney (b)(6) (b)(7)(C)

Enclosed is the Office of Professional Responsibility (OPR) Report of Investigation
regarding the conduct of former Assistant U.S. Attorney (b)(6) (b)(7)(C)

(b)(5) (b)(6) (b)(7)(C)

(b)(5) (b)(6) (b)(7)(C)

(b)(5) (b)(6) (b)(7)(C)

(b)(5) (b)(6) (b)(7)(C)

Finally, OPR concluded that (b)(6) (b)(7)(C) exercised poor judgment in failing to (b)(5) (b)(6) (b)(7)(C)

(b)(5) (b)(6) (b)(7)(C)

(b)(5) (b)(6) (b)(7)(C)

(b)(5) (b)(6) (b)(7)(C)

(b)(5) (b)(6) (b)(7)(C)

, and has directed (b)(6) (b)(7)(C) to contact Professional Misconduct Review Unit Chief John V. Geise for further information regarding this matter.

Enclosure

cc: Scott N. Schools
Associate Deputy Attorney General
(with enclosure)

Jay Macklin
General Counsel
Executive Office for U.S. Attorneys
(with enclosure)



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(b)(6) (b)(7)(C)

MEMORANDUM

TO: Monty Wilkinson
Director
Executive Office for U.S. Attorneys

(b)(6) (b)(7)(C)

John V. Geise
Chief
Professional Misconduct Review Unit

FROM: Robin C. Ashton
Counsel

SUBJECT: Report of Investigation into Allegations of Professional Misconduct Against
Assistant U.S. Attorney (b)(6) (b)(7)(C)

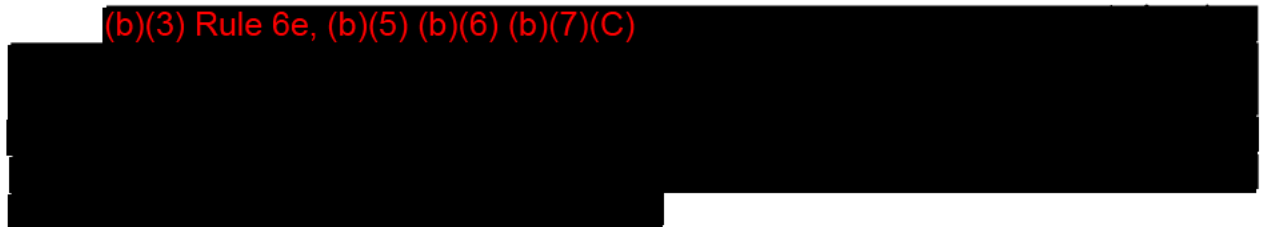
Enclosed is the Office of Professional Responsibility (OPR) final Report of Investigation
into allegations that Assistant U.S. Attorney (AUSA) (b)(6) (b)(7)(C)
, engaged in professional misconduct (b)(3) Rule 6e, (b)
(b)(3) Rule 6e, (b)(6) (b)(7)(C)

(b)(3) Rule 6e, (b)(5) (b)(6) (b)(7)(C)

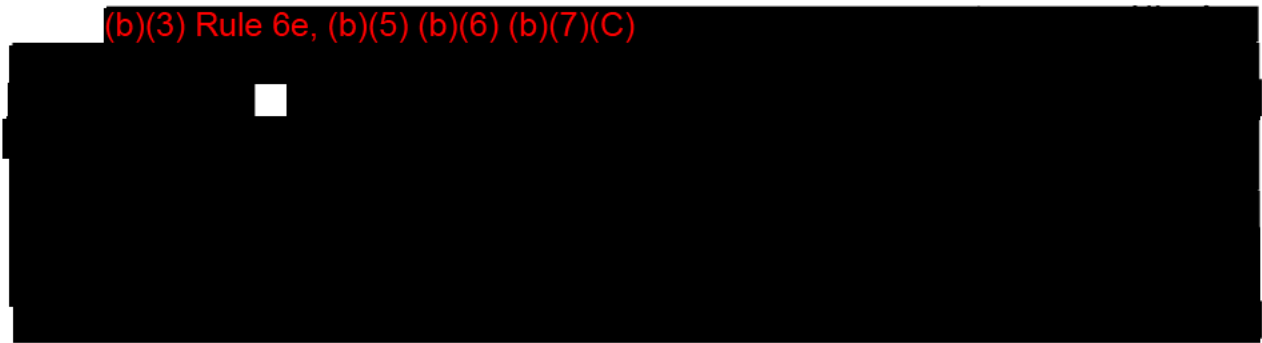
(b)(5) (b)(6) (b)(7)(C)



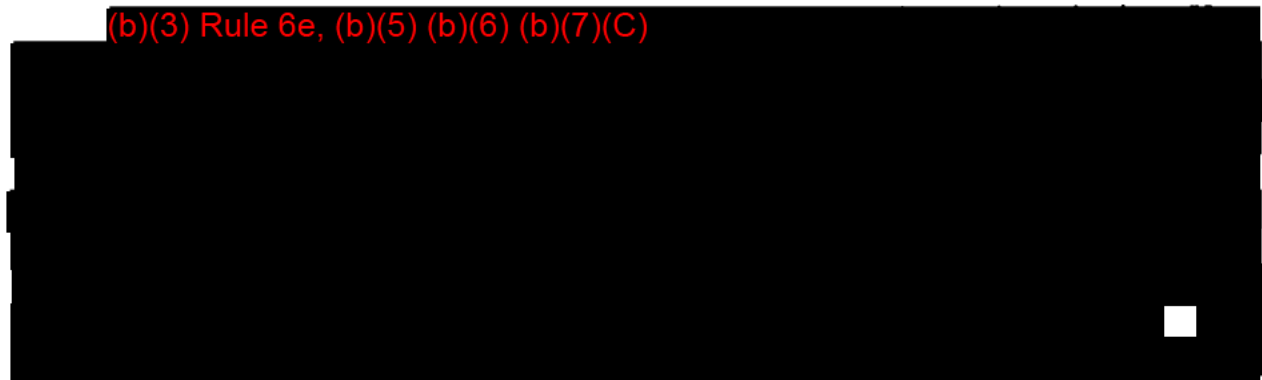
(b)(3) Rule 6e, (b)(5) (b)(6) (b)(7)(C)



(b)(3) Rule 6e, (b)(5) (b)(6) (b)(7)(C)



(b)(3) Rule 6e, (b)(5) (b)(6) (b)(7)(C)

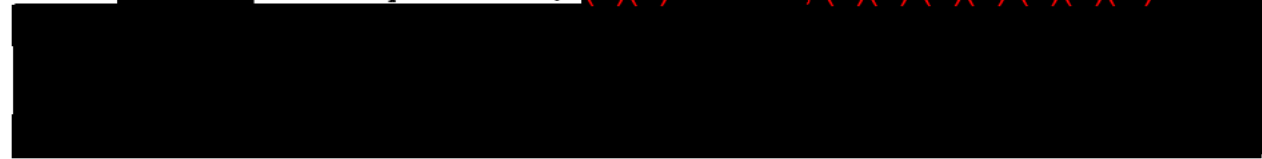


(b)(3) Rule 6e, (b)(5) (b)(6) (b)(7)(C)

Based on the results of its investigation, (b)(5) (b)(6) (b)(7)(C)

OPR found that, although

AUSA (b)(6) (b)(7)(C) acted unprofessionally (b)(3) Rule 6e, (b)(5) (b)(6) (b)(7)(C)



(b)(3) Rule 6e, (b)(5) (b)(6) (b)(7)(C) . OPR concluded, however, that AUSA (b)(6) (b)(7)(C) acted in reckless disregard of (b)(6) (b)(7)(C) professional obligations by engaging in a pattern of improper conduct in the grand jury (b)(3) Rule 6e, (b)(5) (b)(6) (b)(7)(C)

[REDACTED]

(b)(3) Rule 6e, (b)(5) (b)(6) (b)(7)(C)

[REDACTED]

OPR concluded that AUSA (b)(3) Rule 6e, (b)(5) (b)(6) (b)(7)(C) acted in reckless disregard of (b)(6) (b)(7)(C) professional obligations, (b)(3) Rule 6e, (b)(5) (b)(6) (b)(7)(C)

[REDACTED]

Based on the results of its investigation, OPR concluded (b)(5) (b)(6) (b)(7)(C) AUSA (b)(6) (b)(7)(C) improper actions constituted reckless professional misconduct.

(b)(5) (b)(6) (b)(7)(C) directed (b)(6) (b)(7)(C) to contact Mr. Geise if (b)(6) (b)(7)(C) has any questions about this matter.

Enclosure

cc: Jay Macklin
General Counsel
Executive Office for U.S. Attorneys
(with enclosure)

Scott N. Schools
Associate Deputy Attorney General
(with enclosure)



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(b)(6) (b)(7)(C)

MEMORANDUM

TO: Monty Wilkinson
Director
Executive Office for U.S. Attorneys

(b)(6) (b)(7)(C)

John V. Geise
Chief
Professional Misconduct Review Unit

FROM: Robin C. Ashton
Counsel

SUBJECT: Report of Investigation of Assistant United States Attorney (b)(6) (b)(7)(C) into
Alleged Discovery Violations

(b)(5) (b)(6) (b)(7)(C)

(b)(5) (b)(6) (b)(7)(C)

(b)(5) (b)(6) (b)(7)(C)

(b)(5) (b)(6) (b)(7)(C)

(b)(5) (b)(6) (b)(7)(C)

Based on the results of its investigation, OPR concludes that, (b)(5) (b)(6) (b)(7)(C) AUSA (b)(5) (b)(7)(C) did not commit professional misconduct when (b)(5) (b)(6) (b)(7)(C) failed to (b)(5) (b)(6) (b)(7)(C). Rather, OPR concludes that (b)(5) (b)(6) (b)(7)(C) exercised extremely poor judgment when (b)(5) (b)(6) (b)(7)(C).

OPR further concludes that AUSA (b)(5) (b)(7)(C) engaged in professional misconduct in violation of (b)(6) (b)(7)(C) Rule of Professional Conduct (b)(5) (b)(6) (b)(7)(C) by acting in reckless disregard of (b)(5) (b)(6) (b)(7)(C) obligation to

keep (b)(5) (b)(6) (b)(7)(C) client reasonably informed, when (b)(5) (b)(6) (b)(7)(C) failed to (b)(5) (b)(6) (b)(7)(C)

(b)(5) (b)(6) (b)(7)(C)

(b)(5) (b)(6) (b)(7)(C)

(b)(5) (b)(6) (b)(7)(C) and directed (b)(5) (b)(6) (b)(7)(C) to contact Professional Misconduct Review Unit Chief Jack V. Geise for information concerning this matter.

Enclosure

cc: Scott N. Schools
Associate Deputy Attorney General
(without enclosure)

Jay Macklin
General Counsel
Executive Office for U.S. Attorneys
(with enclosure)



U.S. Department of Justice

Office of Professional Responsibility

950 Pennsylvania Avenue, N.W., Suite 3266
Washington, D.C. 20530

(b)(6) (b)(7)(C)

MEMORANDUM

TO: Monty Wilkinson
Director
Executive Office for U.S. Attorneys

John V. Geise
Chief
Professional Misconduct Review Unit

(b)(6) (b)(7)(C)

FROM: Robin C. Ashton
Counsel

SUBJECT: Report of Investigation into Professional Misconduct Allegations Against Assistant
U.S. Attorney (b)(6) (b)(7)(C)

Enclosed is the Office of Professional Responsibility (OPR) Report of Investigation
regarding the conduct of Assistant United States Attorney (AUSA) (b)(5) (b)(6) (b)(7)(C)

[REDACTED]

Upon the completion of its investigation, (b)(5) (b)(6) (b)(7)(C)
concluded that AUSA (b)(5) (b)(7)(C) committed professional misconduct by acting in reckless disregard of
(b)(5) (b)(7)(C) obligation to (b)(5) (b)(6) (b)(7)(C)

[REDACTED]

(b)(5) (b)(6) (b)(7)(C)

(b)(5) (b)(6) (b)(7)(C)

OPR nevertheless concluded that (b)(5) (b)(6) (b)(7)(C), demonstrated a reckless disregard (b)(5) (b)(6) (b)(7)(C)

(b)(5) (b)(6) (b)(7)(C)

(b)(5) (b)(6) (b)(7)(C)

and has directed (b)(5) (b)(6) (b)(7)(C) to contact Professional Misconduct Review Unit Chief John V. Geise for further information regarding this matter.

Enclosure

cc: Scott N. Schools
Associate Deputy Attorney General
(with enclosure)

Jay Macklin
General Counsel
Executive Office for U.S. Attorneys
(with enclosure)



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950 Pennsylvania Avenue, N.W., Suite 3266
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(b)(6) (b)(7)(C)

MEMORANDUM

TO: Monty Wilkinson
Director
Executive Office for U.S. Attorneys

(b)(6) (b)(7)(C)

John V. Geise
Chief
Professional Misconduct Review Unit

FROM: Robin C. Ashton
Counsel

SUBJECT: Report of Investigation into the Conduct of AUSA (b)(6) (b)(7)(C)

Enclosed is the final Office of Professional Responsibility (OPR) Report of Investigation into the Conduct of AUSA (b)(6) (b)(7)(C)

(b)(5) (b)(6) (b)(7)(C)

(b)(5) (b)(6) (b)(7)(C)

(b)(5) (b)(6) (b)(7)(C)

(b)(5) (b)(6) (b)(7)(C)

(b)(5) (b)(6) (b)(7)(C)

Based on the results of its investigation, OPR determined that AUSA (b)(6) (b)(7)(C) (1) committed professional misconduct in reckless disregard of (b)(6) (b)(7)(C) obligation under USAO policy to obtain authorization from (b)(6) (b)(7)(C) supervisors before suggesting to a cooperating defendant that a further downward departure in sentencing was possible; (2) committed professional misconduct in reckless disregard of (b)(6) (b)(7)(C) obligations under *Giglio v. United States*, 405 U.S. 150 (1972), (b)(6) (b)(7)(C); and (3) committed professional misconduct in reckless disregard of (b)(6) (b)(7)(C) obligations (b)(5) (b)(6) (b)(7)(C)

(b)(5) (b)(6) (b)(7)(C) and has directed (b)(6) (b)(7)(C) to contact John V. Geise, Chief of the Professional Misconduct Review Unit, if (b)(6) (b)(7)(C) has any questions about this matter.

Enclosure

cc: Scott N. Schools
Associate Deputy Attorney General
(with enclosure)

Jay Macklin
General Counsel
Executive Office for U.S. Attorneys
(with enclosure)



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(b)(6) (b)(7)(C)

MEMORANDUM

TO: Monty Wilkinson
Director
Executive Office for U.S. Attorneys

(b)(6) (b)(7)(C)

John V. Geise
Chief
Professional Misconduct Review Unit

FROM: Robin C. Ashton
Counsel

SUBJECT: Report of Investigation into Judicial Findings of Professional Misconduct by
Assistant U.S. Attorney (b)(6) (b)(7)(C)

Enclosed is the Office of Professional Responsibility (OPR) Report of Investigation into
the judicial findings of professional misconduct by Assistant United States Attorney (AUSA) (b)(6) (b)(7)(C)

(b)(6) (b)(7)(C)

(b)(5), (b)(6), (b)(7)(C)

[Redacted content]

(b)(5), (b)(6), (b)(7)(C)

(b)(5) (b)(6) (b)(7)(C)

(b)(5), (b)(6), (b)(7)(C), based on the results of its investigation, OPR concluded by a preponderance of the evidence that AUSA (b)(6) (b)(7)(C) did not purposefully or knowingly violate (b)(6) (b)(7)(C) Rule of Professional Conduct (b)(6) (b)(7)(C) when, during (b) closing argument, (b) improperly vouched for the government's witnesses (b)(5), (b)(6), (b)(7)(C)

(b)(5), (b)(6), (b)(7)(C). OPR nevertheless concluded, however, that AUSA (b)(6) (b)(7)(C) acted in reckless disregard of (b)(6) (b)(7)(C) professional obligations with regard to (b)(5) (b)(6) (b)(7)(C)

OPR further concluded that AUSA (b)(6) (b)(7)(C) exercised poor judgment (b)(5) (b)(6) (b)(7)(C)

(b)(5) (b)(6) (b)(7)(C)

and instructed (b)(6) (b)(7)(C) to contact the Professional Misconduct Review Unit for further information.

Enclosures

cc: Scott Schools
Associate Deputy Attorney General
(with enclosure)

Jay Macklin
General Counsel, EOUSA
(with enclosure)



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(b)(6) (b)(7)(C)

MEMORANDUM

TO: Monty Wilkinson
Director
Executive Office for U.S. Attorneys

(b)(6) (b)(7)(C)

John V. Geise
Chief
Professional Misconduct Review Unit

FROM: Robin C. Ashton
Counsel

SUBJECT: Report of Investigation into Judicial Findings of Professional Misconduct by
Former Assistant U.S. Attorney (b)(6) (b)(7)(C)

Enclosed is the Office of Professional Responsibility (OPR) Report of Investigation into
(b)(5), (b)(6), (b)(7)(C) professional misconduct by former Assistant U.S. Attorney
(AUSA) (b)(6) (b)(7)(C)

(b)(5) (b)(6) (b)(7)(C)

[Large redacted area]

(b)(5) (b)(6) (b)(7)(C)

(b)(5) (b)(6) (b)(7)(C)

Based on the results of its investigation, OPR concludes, (b)(6) (b)(7)(C) that (b)(6) (b)(7)(C) violated (b)(6) (b)(7)(C) obligations pursuant to *Brady, Giglio, and Napue* when (b)(6) (b)(7)(C) failed to (b)(5) (b)(6) (b)(7)(C)

■ (b)(5) (b)(6) (b)(7)(C)

OPR concluded that (b)(6) (b)(7)(C) actions represented a gross deviation from the standard of conduct that an objectively reasonable attorney would observe in the same situation and thus constituted a reckless disregard of (b)(6) (b)(7)(C) professional obligations.

(b)(5) (b)(6) (b)(7)(C) and directed (b)(6) (b)(7)(C) to contact Professional Misconduct Unit Chief Jack V. Geise for information concerning this matter.

Enclosure

cc: Scott Schools
Associate Deputy Attorney General
(with enclosure)

Jay Macklin
General Counsel, EOUSA
(with enclosure)



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(b)(6) (b)(7)(C)

MEMORANDUM

TO: (b)(6) (b)(7)(C)

John V. Geise
Chief
Professional Misconduct Review Unit

FROM: Robin C. Ashton
Counsel

SUBJECT: Report of Investigation into (b)(6) (b)(7)(C) Trial Attorney
(b)(6) (b)(7)(C)

The Office of Professional Responsibility (OPR) has completed its investigation regarding allegations that U.S. Department of Justice (b)(6) (b)(7)(C) Trial Attorney (b)(6) (b)(7)(C) made unauthorized disclosures of attorney-client privileged information to a third party (b)(6) (b)(7)(C)

(b)(5) (b)(6) (b)(7)(C)

(b)(5) (b)(6) (b)(7)(C)

(b)(5) (b)(6) (b)(7)(C)

Based on the results of its investigation, OPR reached the following conclusions. With respect to the unauthorized disclosures of attorney-client privileged information, OPR concluded that (b)(6) (b)(7)(C) did not engage in professional misconduct but that (b)(6) exercised poor judgment.

(b)(5) (b)(6) (b)(7)(C)

(b)(5) (b)(6) (b)(7)(C)

However, OPR concluded that by failing to (b)(5) (b)(6) (b)(7)(C) acted in reckless disregard of (b)(6) duty to keep (b)(6) client informed.

(b)(5) (b)(6) (b)(7)(C)

However, OPR concluded that (b)(6) (b)(7)(C) acted in reckless disregard of (b)(6) Departmental obligation to cooperate with OPR's investigation (b)(5) (b)(6) (b)(7)(C)

(b)(5) (b)(6) (b)(7)(C)

(b)(6) has directed (b)(6) (b)(7)(C) to contact the Professional Misconduct Review Unit for further information

(b)(5), (b)(6), (b)(7C)

Enclosure

cc: Scott N. Schools
Associate Deputy Attorney General
(with enclosure)



U.S. Department of Justice

Office of Professional Responsibility

950 Pennsylvania Avenue, N.W., Suite 3266
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(b)(6) (b)(7)(C)

MEMORANDUM

TO: Monty Wilkinson
Director
Executive Office for U.S. Attorneys

(b)(6) (b)(7)(C)

John V. Geise
Chief
Professional Misconduct Review Unit

FROM: Robin C. Ashton
Counsel

SUBJECT: Report of Investigation of Former Assistant United States Attorney (b)(6) (b)(7)(C)
for Failure to Maintain an Active Bar Membership

The Office of Professional Responsibility (OPR) has completed its investigation into the failure of former Assistant United States Attorney (b)(6) (b)(7)(C) to maintain an active membership with the (b)(6) (b)(7)(C) State Bar from (b)(6) (b)(7)(C) (b)(6) (b)(7)(C)

(b)(5) (b)(6) (b)(7)(C)

(b)(5) (b)(6) (b)(7)(C)

(b)(5) (b)(6) (b)(7)(C)

Based on the results of its investigation, OPR concludes by a preponderance of the evidence that (b)(6) (b)(7)(C) engaged in professional misconduct by acting in reckless disregard of (b)(6) (b)(7)(C) statutory and Department obligations to maintain an active membership in at least one state bar when (b)(6) (b)(7)(C) failed to timely pay (b)(6) (b)(7)(C) Bar dues. OPR also concludes by a preponderance of the evidence that (b)(6) (b)(7)(C) engaged in professional misconduct by acting in reckless disregard of the rules prohibiting the unauthorized practice of law when (b)(6) (b)(7)(C) practiced law during the time that (b)(6) (b)(7)(C) was not an active member of the Bar. OPR further concludes by a preponderance of the evidence that (b)(6) (b)(7)(C) committed intentional professional misconduct when (b)(6) (b)(7)(C) knowingly failed to advise (b)(6) (b)(7)(C) supervisors in the USAO that (b)(6) (b)(7)(C) Bar membership had been administratively suspended. Finally, OPR concludes that (b)(6) (b)(7)(C) did not falsely certify that (b)(6) (b)(7)(C) was an active member of the Bar, (b)(5) (b)(6) (b)(7)(C)

(b)(5) (b)(6) (b)(7)(C)

and directed (b)(6) (b)(7)(C) to contact Professional Misconduct Review Unit Chief Jack V. Geise for information concerning this matter.

Enclosure

cc: Scott N. Schools
Associate Deputy Attorney General
(without enclosure)

Jay Macklin
General Counsel
Executive Office for U.S. Attorneys
(with enclosure)



U.S. Department of Justice

Office of Professional Responsibility

950 Pennsylvania Avenue, N.W., Suite 3266
Washington, D.C. 20530

(b)(6) (b)(7)(C)

MEMORANDUM

TO:

(b)(6) (b)(7)(C)

John V. Geise
Chief
Professional Misconduct Review Unit

FROM:

Robin C. Ashton
Counsel

SUBJECT: Report of Investigation regarding Conduct of Former Senior Trial Counsel

(b)(6) (b)(7)(C)

Enclosed is the Office of Professional Responsibility (OPR) Report of Investigation into allegations of misconduct regarding former Senior Trial Counsel (b)(6) (b)(7)(C)

(b)(6) (b)(7)(C)

Based on its investigation, OPR has concluded that (b)(6) (b)(7)(C) engaged in intentional professional misconduct by violating the duty of candor embodied in (b)(6) (b)(7)(C) Rules of Professional Conduct (b)(6) (b)(7)(C) Rules of Professional Conduct (b)(6) (b)(7)(C) and the common law, by purposefully misrepresenting factual information to the court and opposing counsel. (b)(5) (b)(6) (b)(7)(C)

OPR also concluded that (b)(6) (b)(7)(C) engaged in intentional professional misconduct when (b)(5) (b)(6) (b)(7)(C)

(b)(5) (b)(6) (b)(7)(C)

(b)(5) (b)(6) (b)(7)(C)

and has directed (b)(6) (b)(7)(C) to contact Professional Misconduct Review Unit Chief John V. Geise for further information regarding this matter.

Enclosure

cc: Scott N. Schools
Associate Deputy Attorney General
(with enclosure)



U.S. Department of Justice

Office of Professional Responsibility

950 Pennsylvania Avenue, N.W., Suite 3266
Washington, D.C. 20530

(b)(6) (b)(7)(C)

MEMORANDUM

TO: Monty Wilkinson
Director
Executive Office for United States Attorneys

(b)(6) (b)(7)(C)

John V. Geise
Chief
Professional Misconduct Review Unit

FROM: Robin C. Ashton
Counsel

SUBJECT: Report of Investigation of Assistant U.S. Attorney (b)(6) (b)(7)(C) for
Failure to Maintain an Active Bar Membership

The Office of Professional Responsibility (OPR) has completed its investigation into the failure of Assistant U.S. Attorney (AUSA) (b)(6) (b)(7)(C) to maintain an active bar membership for a period of (b)(6) (b)(7)(C)

(b)(5) (b)(6) (b)(7)(C)

(b)(5) (b)(6) (b)(7)(C)

(b)(5) (b)(6) (b)(7)(C)

Based on the results of its investigation, (b)(5) (b)(6) (b)(7)(C), OPR concluded by a preponderance of the evidence that (b)(6) (b)(7)(C) engaged in intentional professional misconduct (b)(5) (b)(6) (b)(7)(C)

OPR further concluded by a preponderance of the evidence that (b)(6) (b)(7)(C) engaged in intentional professional misconduct when, in violation of the rules prohibiting the unauthorized practice of law, (b)(6) (b)(7)(C) continued to practice law when (b)(6) (b)(7)(C) was not an active member of a bar. OPR also concluded by a preponderance of the evidence that (b)(6) (b)(7)(C) committed intentional professional misconduct when (b)(5) (b)(6) (b)(7)(C) that (b)(6) (b)(7)(C) was not an active member of at least one state bar and not authorized to practice law.

OPR further concluded by a preponderance of the evidence that (b)(6) (b)(7)(C) engaged in professional misconduct by acting in reckless disregard of (b)(6) (b)(7)(C) obligation to maintain an active membership in at least one state bar, (b)(5) (b)(6) (b)(7)(C)

OPR also concluded by a preponderance of the evidence that (b)(6) (b)(7)(C) engaged in intentional professional misconduct when (b)(6) (b)(7)(C) continued to practice law (b)(5) (b)(6) (b)(7)(C), in violation of the rules prohibiting the unauthorized practice of law. Finally, OPR concluded by a preponderance of the evidence that (b)(6) (b)(7)(C) committed intentional professional misconduct (b)(5) (b)(6) (b)(7)(C)

(b)(6) (b)(7)(C)

(b)(5) (b)(6) (b)(7)(C) and has directed (b)(5) (b)(6) (b)(7)(C) to contact the Professional Misconduct Review Unit for further information concerning the disciplinary process.

Enclosure

cc: Scott N. Schools
Associate Deputy Attorney General
(with enclosure)

Jay Macklin
General Counsel, EOUSA
(with enclosure)



U.S. Department of Justice

Office of Professional Responsibility

950 Pennsylvania Avenue, N.W., Suite 3266
Washington, D.C. 20530

(b)(6) (b)(7)(C)

MEMORANDUM

TO: Monty Wilkinson
Director
Executive Office for U.S. Attorneys

(b)(6) (b)(7)(C)

John V. Geise
Chief
Professional Misconduct Review Unit

FROM: Robin C. Ashton
Counsel

SUBJECT: Report of Investigation into the Conduct of Assistant U.S. Attorney (AUSA)
(b)(6) (b)(7)(C)

Enclosed is the final Office of Professional Responsibility (OPR) Report of Investigation into the Conduct of AUSA (b)(6) (b)(7)(C)

(b)(5) (b)(6) (b)(7)(C)

(b)(5) (b)(6) (b)(7)(C)

Based on the results of its investigation, OPR concluded that in (b)(5) (b)(6) (b)(7)(C) AUSA (b)(5) (b)(6) (b)(7)(C) committed intentional professional misconduct in violation of (b)(5) (b)(6) obligations under (b)(5) (b)(6) (b)(7)(C), and Department and USAO policies, to keep (b)(5) (b)(6) client reasonably informed of (b)(5) (b)(6) (b)(7)(C)

(b)(5) (b)(6) (b)(7)(C) and has directed (b)(5) (b)(6) to contact John V. Geise, Chief of the Professional Misconduct Review Unit, if she has any questions about this matter.

Enclosure

cc: Scott N. Schools
Associate Deputy Attorney General
(with enclosure)

Jay Macklin
General Counsel
Executive Office for U.S. Attorneys
(with enclosure)